

AN ACT

FOR ESTABLISHING

A HEALTH OFFICE,

AND TO SECURE THE

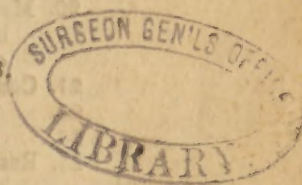
CITY AND PORT OF PHILADELPHIA

FROM THE INTRODUCTION OF

PESTILENTIAL AND CONTAGIOUS DISEASES,

AND FOR OTHER PURPOSES.

Passed January 29, 1818.



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AN ACT, &c.



AN ACT for establishing a Health Office, and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes.

SECTION 1. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General assembly met, and it is hereby enacted by the authority of the same,* That from and after the first Monday in March next, a Board of Health shall be established in the manner hereinafter directed, which shall be and hereby is erected into a body corporate, in deed and in law, by the name, style, and title of, "The Board of Health," who shall have perpetual succession and enjoy all and every the rights, liberties, and privileges, powers, authorities, and immunities, incident or belonging to a corporation or body politic; and by that name may take and hold all the estate real and personal now vested in the present Board of Health, and shall moreover have and exercise the powers and authorities hereinafter mentioned, that is to say: The members of the Board of Health shall be eleven, who shall serve without compensation or emolument, and shall be appointed in the manner following, to wit: The Select and Common Councils of the city of Philadelphia, in a joint meeting to be held on the afternoon of the second Monday in March, annually, between the hours of two and six o'clock, shall elect by ballot, six citizens, who shall be taxable inhabitants of the said city; and the commissioners of the incorporated part of the Northern Liberties shall annually on the same day, and between the same hours, elect by ballot two citizens, who shall be taxable inhabitants of the said district; and the commissioners of Penn township shall annually, on the same day, and between the same hours, elect by ballot one citizen, who shall be a taxable inhabitant of the said district; and the commissioners of the district of Southwark shall, annually, on the same day and between the same hours, elect by ballot one citizen, who shall be a taxable inhabitant of the said district; and the commissioners of Moya-

Board of Health established.

To be a body corporate.
To consist of eleven members, to be chosen annually on the second Monday of March, and to serve without compensation.
Six members to be elected by the corporation of Philadelphia.
Two by the commissioners of the incorporated part of the Northern Liberties.
One by the commissioners of Penn township.
One by the commissioners of Southwark.
One by the

commissioners of Moyamensing.

In case appointments are not made on the day specified, they may be made afterwards.

Members of the Board always re-eligible.

In case of removal, their place to be supplied.

President, Secretary and Treasurer, to be chosen from their own body.

Accounts to be settled and published annually.

Times of meeting.

Powers of the Board.

mensing shall, annually, on the same day, and between the same hours, elect by ballot one citizen, who shall be a taxable inhabitant of the said township, who shall constitute the Board of Health, of which a majority shall be a quorum. And in case the appointments hereby directed should not take place on the day specified, they may be made on any other subsequent day prior to the third Monday in March, between the same hours; and the number of years for which any individual may be eligible as a member of the Board of Health, shall not be limited; and in case of the removal, death, sickness, resignation, inability, or refusal to serve, of any of the said Board, their places shall be supplied by other appointments to be made by the same authority which appointed the individuals by whose delinquency the vacancies shall be occasioned. And the said Board, out of their own body, shall choose a President, who shall preside at the meetings of the Board, and whose place shall be supplied in his absence by the appointment of a chairman for the time; a Secretary, whose duty it shall be to keep fair minutes of all the proceedings, rules, and regulations of the Board; and a Treasurer, who shall give bond with sureties as is required of the county treasurer, who shall receive all monies belonging to the corporation, and pay and disburse the same upon the order of the Board, signed by the President and attested by the Secretary, who shall keep fair and just accounts of his receipts and expenditures, and make extracts thereof whenever the Board shall require the same; and shall once in every year, his accounts having been allowed by the Board, publish the same in one or more newspapers of the city of Philadelphia. And the said Board shall sit upon their own adjournment as they shall find necessary, but shall meet at least once in every day between the first day of June and first day of October in every year; and also when the Board shall be specially convened by order of the President or any two of the members. And the said Board shall have and hereby is vested with full power and authority to make general rules, orders, and regulations, for the government and management of the Lazaretto, and the vessels, cargoes, and persons there detained, or under quarantine, and of the Health Office and Public Hospitals, and for the mode of visiting and examining vessels, persons, goods, and houses; and shall also have power to appoint such officers and servants as may be necessary to attend the Health Office, the Lazaretto, and the City Hospi-

tal, and convey communications and supplies to the said Lazaretto and Hospital, and such other officers and servants as may be necessary for the preservation of the health of the district; together with all temporary officers and servants that may be rendered necessary by the existence of any dangerous contagious disease in the city of Philadelphia, or in any other place within the United States: *Provided*, that such officers and servants shall not hold any offices of profit or trust under the United States; and to remove any of the officers or servants by them appointed, and to appoint others in their places, and to allow and pay the said officers and servants so appointed, such compensation for their respective services as the said Board shall deem just and proper. And the governor is hereby authorized and required to appoint one physician, who shall reside at the Lazaretto, and be denominated the Lazaretto Physician, and one physician, who shall reside in the city of Philadelphia, and shall be denominated the Port Physician, one health officer, and one quarantine master, all of whom shall be under the direction and controul of the Board of Health, and shall be removed from office by the governor at the request of the majority of the members of the Board of Health; and the said Lazaretto physician shall be entitled to occupy the house hitherto occupied by the resident physician, and shall also be provided by the Board of Health with ground for a garden within the bounds of the Lazaretto, of such extent as the Board may think proper; and the quarantine master shall be entitled to occupy the house hitherto occupied by the quarantine master, and shall also be provided by the Board of Health, with ground for a garden, within the bounds of the Lazaretto, of such extent as the board shall think proper.

SECT. 2. *And be it further enacted by the authority aforesaid*, That the Health Officer, on receiving from the captain or master of any ship or vessel, the certificate as directed by this act, or where no certificate is to be given on the arrival of the vessel, shall be entitled to receive from the captain or master, the following sums and no more, and to pay the same over from time to time as the Board may direct to the treasurer of the Board of Health, to wit: All American vessels sailing under coasting documents, arriving at the port of Philadelphia, from any port or place in the United States, between the river St. Croix and the river St. Mary, (except ports or places between Sandy Hook and Cape Charles) shall

May appoint
and remove
officers.

Lazaretto
physician.

Port physi-
cian, health
officer and
quarantine
master, to be
appointed by
the governor,
who shall re-
move all of
them at the
request of a
majority of
the Board.

Fees to be
paid to the
health officer
on the arrival
of vessels,
who is to pay
the same to
the treasurer
of the Board.

American
vessels with
coasting doc-
uments, to
pay \$2 50

during quarantine months.

pay two dollars and fifty cents for each arrival, during quarantine months, and the said vessels during that time shall (if having goods capable of containing contagion, persons, baggage or clothing, from any foreign port or place, or any diseased person) stop at the Lazaretto, and there be examined by the Lazaretto physician and quarantine master, under the rules, regulations and penalties in this act contained.

American vessels from a foreign port touching at a port in the United States to pay as if from foreign port direct. Coasting vessels from places between Sandy Hook and Cape Charles to pay \$2 50.

And all American vessels from any port in the United States where they may have touched or traded from a foreign port or place, shall pay the same sum as if they had arrived direct from such port or place. And all American vessels with coasting documents, arriving from any port or place between Sandy Hook and Cape Charles, including the bay and river Delaware, during quarantine months, having on board merchandise of foreign growth or manufacture, or persons, baggage or clothing, from any foreign port or place, or from any place to the northward or eastward of Sandy Hook, or westward of Cape Charles, shall stop at the Lazaretto for examination, under the rules, regulations and penalties in this act contained, and shall pay for each arrival during quarantine months two dollars and fifty cents. All American vessels

American vessels from New Brunswick, &c. to pay on arrival \$5.

arriving from any port or place in New Brunswick, Nova Scotia, Canada, or the islands or ports adjacent to the river St. Mary's, the coast of Florida, Bay of Mexico, including New Orleans and parts adjacent, and from thence along the Bay of Honduras and coast of Terra Firma, as far as the river Amazon, including all the islands generally denominated West India, Bahamas or Bermudas, shall pay on arrival five

American vessels from Europe, &c. to pay \$10.

dollars. All American vessels arriving from any place in Europe, in the Western, Madeira, Canary or Cape Verd Islands, the west coast of Africa as far as latitude thirty-four degrees south, and from any place in the Mediterranean or straits thereof, or from any place from the river Amazon inclusive, and round the coast of Brazils as far as latitude thirty-four degrees south, shall pay ten dollars each. And

American vessels from beyond Cape Good Hope, &c. to pay \$20.

all American vessels arriving from any place beyond latitude thirty-four degrees south, or round Cape Horn, or the Cape of Good Hope, shall pay twenty dollars each. And all foreign vessels arriving as aforesaid, (except prizes to American vessels,) shall pay twenty-five per cent. each additional,

Foreign vessels to pay 25 per cent. additional, unless, &c. American

unless otherwise regulated by any treaty. And prize vessels taken by foreign armed vessels, shall pay twenty-five per cent. each, more than is paid by American vessels. And

prize vessels taken by American vessels, shall pay on arrival prize vessels ten dollars each. And public armed vessels and privateers, to pay \$10, shall pay six dollars each. And any vessel of the burthen of vessels \$6. one hundred and fifty tons and upwards, arriving at the La- Vessels of zaretto, from any foreign port or coastwise, may come to in 150 tons and the outer channel, as near to the west end of the island of upwards may come to in the inner Little Tinicum, opposite the Lazaretto, as her draft of water, channel, wind and weather, will permit, for the purpose of receiving the visit from the Lazaretto physician and quarantine master, and if the said vessel does not receive her visit in the inner channel, she shall pay an additional sum of five dollars, inner channel shall pay of which two dollars shall be paid to the Lazaretto physician, \$5, 2 to the and one dollar to the quarantine master, as a compensation Lazaretto physician, 1 for their extraordinary services, and two dollars shall be paid to the quarantine master, and 2 to into the treasury of the Board. the Board.

SECT. 3. *And be it further enacted by the authority aforesaid,* That the building now called the Lazaretto, and the ground therewith reserved and occupied, and all the property and estate of every kind whatsoever now vested in the present Board of Health, shall become and be fully vested in the Board of Health constituted by this act immediately, and as soon as the same shall be organized for the uses and purposes for which the said Board is instituted and established, and the same shall be fully and entirely under the direction and management of the said Board; and the said Board shall have power to erect such buildings, and to make such inclosures on the lot or tract adjoining the Lazaretto, as to them may seem proper and necessary. Lazaretto & ground vested in the Board of Health. May erect buildings & inclosures.

SECT. 4. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, every ship or vessel coming from any foreign port or place bound to the port of Philadelphia, between the first day of June and the first day of October in every year, shall come to anchor in the river Delaware as near the Lazaretto as the draught of water and the weather will allow, before any part of the cargo or baggage be landed, or any person who came in such ship or vessel shall leave her, or any person be permitted to go on board, and shall submit to the examination hereinafter directed; and if any master, commander, or pilot, shall leave his station before the said Lazaretto, or if any master or commander shall permit or suffer any part of the cargo or baggage, or any person or persons arriving in such ship or vessel from any port beyond the limits of the United States, When vessels are to be examined at the Lazaretto.

Penalty for violating the law.
Duties of the Lazaretto physician & quarantine master.

May administer oaths and affirmations.

Persons interrogated to be informed of the penalty of giving false answers.

A certificate of health to be given to masters of vessels.

to be landed on either shore of the Delaware bay, or river, or suffer any person, except the pilot, to come on board before such examination be duly had, and a certificate obtained as is hereinafter specified, the person or persons so permitting, and the person or persons so landed or going on board (unless imminent danger of the loss of the vessel or lives of the crew shall render assistance necessary,) being thereof convicted, upon indictment or prosecution under this act by verdict, confession, or standing mute in any court having jurisdiction of the offence, shall pay a fine not exceeding five hundred dollars, to be recovered and appropriated as is herein directed; and it shall be the duty of the Lazaretto physician and quarantine master, so soon as any ship or vessel shall be anchored near the Lazaretto, between sun rise and sun set, immediately, wind and weather permitting, to go on board the same, and there thoroughly examine, in such form and manner as shall be prescribed by the Board of Health, the said ship or vessel, the crew, passengers, cargo, and baggage on board the same, and to demand answers under oath or affirmation to be administered by either the said physician or quarantine master, who are hereby severally empowered to administer the same, to all such questions as shall be put to any person on board such ship or vessel touching the health of the crew and passengers during the voyage, and the nature and state of the cargo as the Board of Health by their rules shall from time to time direct to be asked; but it shall be the duty of the person so examining on oath or affirmation, before he shall proceed therein to make known to the person interrogated the penalty imposed by this act upon the person who shall give false answers under oath or affirmation to the questions proposed in such examination, and if upon such examination it shall appear to the said physician and quarantine master that the said ship or vessel came from a port or place at which no malignant or contagious disease prevailed at the time of her departure, that the persons on board such ship or vessel are free from every pestilential or contagious disease, (the small pox and measles excepted,) and that the said vessel has had no malignant disease on board either during the homeward bound voyage or during her continuance in a foreign port, and they shall see no cause to suspect that the cargo or any part thereof is infected, they shall forthwith deliver to the master or captain of such ship or vessel a certificate of the facts in such form as shall be directed by the

Board of Health, and the said captain or master may there- Who shall
upon proceed according to his destination, and shall present prese... the
such certificate at the Health Office in Philadelphia within same, &c.

twenty-four hours after his arrival and safely mooring there; but if it shall appear upon such examination that the ship or Cases where-
vessel came from a port or place at which a malignant or con- in vessels are
tágious disease prevailed, such vessel shall be detained at to be detain-
ed.

the Lazaretto for such time as the Board of Health shall deem necessary, not exceeding twenty days; and the letter bag of the vessel when purified, and such letters as the master, commander, or passengers, shall think proper to write to their owners, consignees, or friends, shall be transmitted to the Health Office in Philadelphia, who shall safely deposit the same in the post office. And thereupon the Board of Health shall determine and direct what measures shall be pursued to cleanse the vessel and cargo, purify the clothing and baggage, and restore the health of diseased persons on board, which direction shall be carried into execution under the inspection of the Lazaretto physician and quarantine master, at the expense of the master, owners, or consignees, of the vessel and goods respectively, in such manner as by the said orders shall be directed: *Provided always*, That wine, rum, salt, sugar, spirits, molasses, mahogany, manu- Goods ex-
factured tobacco, dye woods, preserved fruits, and such other cepted from
articles as the Board of Health shall by their general regula- detention.

tions specify and permit, may be conveyed immediately to the city in lighters; and at the expiration of the said time if it shall appear to the said physician and quarantine master, In what cases
that no person has been sick with a malignant or contagious vessels may
disease, (the small pox and measles excepted,) on board said proceed.

ship or vessel, either during the voyage homeward, or during her continuance in a foreign port, nor any of the crew or passengers, or other person from on board such vessel during the performance of quarantine, and the said physician and quarantine master shall certify the said facts to the Board of Health; and that in their opinion the vessel, crew, cargo, and passengers, may be safely suffered to proceed to the city, the said captain or master may proceed with the same according to his destination, unless the Board of Health shall Unless the
deem it necessary to cause a further detention of the said Board shall
vessel or cargo, or of the crew or passengers, or of any deem further
baggage on board said vessel, in which case the same shall detention ne-
cessary.

be detained until the Board of Health shall authorize the

same to proceed and enter the city; and upon the arrival of the said captain or master at Philadelphia, he shall present the said certificate of the physician and quarantine master at the Health Office within twenty-four hours after his arrival; but if upon examination of any vessel by the said physician and quarantine master as aforesaid, or during the performance of quarantine by any vessel, it shall appear to the said physician and quarantine master that there has been any person sick on board the said vessel with any malignant or contagious disease, either during the voyage homeward, or during the continuance of the vessel in a foreign port, or during the performance of quarantine at the Lazaretto, (or that any person on board such vessel has been affected with such disease) then in such case the vessel shall be detained such further time as the Board of Health may deem necessary, and the cargo and baggage, except such part thereof as in the opinion of the Board of Health may be supposed incapable of retaining infection, which said part may be transported to the city in lighters, shall, unless otherwise ordered and directed by the Board of Health, be unladen and thoroughly cleansed and purified, and the crew and passengers which were on board the said vessel, and the cargo and baggage on board the same, or any part thereof, except as before excepted, shall not be suffered to enter the city before the first day of October then next ensuing, without the license and permission of the Board of Health to that effect first had and obtained: *Provided nevertheless*, That such ship or vessel, after she shall have been thoroughly cleansed and purified, if no malignant disease appear on board, may be allowed to take in freight at the Lazaretto by means of lighters, and proceed to sea; and if any master or captain, or other person, on board of any vessel which shall be examined agreeably to this law, shall not true answers make to all such questions as the Lazaretto physician and quarantine master, or the said Health Officer or port physician shall ask, agreeably to this act or the rules heretofore established, or which shall from time to time be established by the Board of Health in conformity with this act, or shall knowingly deceive, or attempt to deceive, the proper officers as aforesaid in his answers to their official enquiries, he having been duly informed and apprised of the penalties imposed by this act on the person so offending previous to his said examination, by the person making such examination, such person for each and

Captains to present their certificates at the Health Office.

Vessels having had sickness on board not to be detained during the pleasure of the Board.

Goods to be transported in lighters.

Goods, passengers, &c. not to enter the city before 1st Oct. unless, &c.

May take in freight at the Lazaretto & proceed to sea.

Refusal to answer or attempt to deceive, punishable.

every offence, being thereof legally convicted, shall forfeit Penalty. and pay a sum not exceeding five hundred dollars, to be recovered and appropriated as hereinafter provided and directed, and moreover shall be sentenced to imprisonment at hard labour for any term not less than one year and not exceeding five years.

And if any captain or master of any ship or vessel, shall neglect to present his certificate at the Health Office, in any case in which he is herein before directed so to do, within the time directed by this act, he shall forfeit Penalty on neglecting to present the certificate in 24 hours after arrival. and pay the sum of three hundred dollars, to be recovered and appropriated as hereinafter directed.

And if any captain or master of any ship or vessel, or any other person on board the same, shall refuse or neglect to comply with the directions of the Lazaretto physician or quarantine master, Neglecting to execute the orders of the Lazaretto physician or Board of Health, punishable which shall be made agreeably to this act, or the regulations of the Board of Health, with respect to the detention of any ship or vessel, or the landing from on board the same, of any person or persons, or of any goods, merchandise, bedding, baggage or clothing, or shall refuse to carry the same into effect, such person for each and every such offence, shall forfeit Penalty. and pay a sum not exceeding five hundred dollars, nor less than two hundred dollars, to be recovered and appropriated as is hereinafter provided and directed.

SECT. 5. *And be it further enacted by the authority aforesaid,* That any ship or vessel coming from any port or place within the United States, at which port or place the said ship or vessel had only called in or touched upon her arrival from a foreign port or place, shall be liable and subject to all the rules, regulations and restrictions of the preceding sections of this act, and shall be examined and treated as well the vessel itself as the cargo, crew, passengers and baggage, on board, in the same manner as if such ship or vessel had directly arrived at the Lazaretto from a foreign port or place without having first touched at a port or place within the United States; and all ships or vessels, as well vessels of Vessels from ports in the United States liable to detention.

war as merchant vessels, coming from any port or place within the United States, and bound to the port of Philadelphia, between the first day of June, and the first day of October in every year, and having on board any goods or merchandise, the growth or produce of any foreign place or country, or any person's or persons' bedding or clothing, from any foreign port or place, shall come to anchor opposite the said Lazaretto, and shall be examined by the said Lazaretto phy- Vessels of war to be detained.

Goods landed 2) days free from quarantine.

Certificate to be presented at the Health Office.

Failure of proof of health of vessels to be detained.

Vessels from ports of the United States having foreign goods, liable to detention. Penalty on passing the Lazaretto without examination.

Vessels from the Mediterranean, subject to examination.

sician and quarantine master, and if the captain or master of any such ship or vessel shall produce such satisfactory proof as the Board of Health shall in that case direct to be required, that the said goods or merchandise shall have been landed in the United States, more than twenty days, and are free from damage, and that the said vessel, bedding, clothing and persons, are free from the infection of any dangerous contagious disease, (the small pox and measles excepted,) then and in that case the said physician and quarantine master shall give to the captain or master of such ship or vessel a certificate of the facts, permitting such ship or vessel to proceed to the city, which certificate the said captain or master shall present at the Health Office in Philadelphia, within twenty-four hours after his arrival, and safely mooring there; and if he should neglect so to do, being thereof legally convicted under this act, he shall be sentenced to pay a fine of two hundred dollars, to be recovered and appropriated, as is hereinafter directed and provided; and if the said captain or master shall fail to produce such satisfactory proof as aforesaid, of the wholesome state of the said vessel, goods, merchandise, bedding, clothing and persons, the said vessel, goods, merchandise, bedding, clothing and persons, shall be detained at the Lazaretto, and shall be proceeded with in the same manner, and subject to the same orders and regulations as are herein before provided and directed in the case of vessels coming directly from a foreign port or place; and if the captain or master of any such ship or vessel coming from any port or place within the United States, and bound to the port of Philadelphia, having on board any goods or merchandise, bedding, clothing or persons, as aforesaid, shall refuse or neglect to come to anchor opposite the Lazaretto, and shall pass the same with intent to proceed to the city without examination by, and certificate obtained from, the said physician and quarantine master as aforesaid, he shall, on conviction, forfeit and pay the sum of five hundred dollars, to be recovered and appropriated as is hereinafter provided and directed, and the said vessel, goods, merchandise, bedding, clothing and persons, shall be sent back to the Lazaretto, there to be proceeded with in such manner as the Board of Health, agreeably to this act, shall in that case devise and direct.

SECT. 6. *And be it further enacted by the authority aforesaid,* That every ship or vessel coming from the Mediterranean, shall be subject to a strict examination, under similar regulations and penalties, as are provided in the fourth sec-

tion of this act, and if it appears that the said ship or vessel came from any place where the plague existed at the time of her departure, or has spoken with any vessel on board of which, any person was affected with the plague, or if any person is affected with the said disease on his arrival at the Lazaretto, or has been affected during the voyage, the said vessel shall not be suffered to proceed to the city, the cargo and baggage shall be unloaded and thoroughly cleansed and purified, and no part shall be suffered to enter the city without the permission of the Board of Health first obtained; and the crew and passengers shall perform a quarantine of not less than twenty days, nor more than forty, at the discretion of the Board of Health: *Provided nevertheless*, That such ship or vessel after she shall have been thoroughly cleansed and purified, may be allowed to take in freight at the Lazaretto by means of lighters and proceed to sea.

Prevented from entering the city.

May take freight and proceed to sea.

SECT. 7. *And be it further enacted by the authority aforesaid*, That any person or persons, and all goods, merchandise, bedding and clothing, arriving at any port or place, within the United States, from any foreign port or place at which any malignant or contagious disease, (the small pox and measles excepted,) prevailed at the time of their departure, or in any vessel in which any such disease existed while they were on board the same, are hereby prohibited from entering the city or county of Philadelphia, or the county of Delaware, (except the township of Tinicum,) at any time between the first day of June and the first day of October in any year, either by land or water, without permission of the Board of Health first had and obtained, under the penalty of five hundred dollars for each and every offence, and the forfeiture of all such goods, merchandise, bedding or clothing, to be recovered and appropriated as is hereinafter directed; and that all goods, wares, bedding, clothing and merchandise, seamen or passengers, landed from on board any ship or vessel belonging to the port of Philadelphia at any other port of the United States, shall be subject to perform twenty days quarantine, previously to entering the city or county of Philadelphia, under the same penalty as in the fifth section, without permission first obtained from the Board of Health.

Persons arriving from infected foreign ports at any port in the United States, shall not enter the city.

Penalty.

Goods, &c. landed in ports of the United States subject to 20 days quarantine.

SECT. 8. *And be it further enacted by the authority aforesaid*, That no person or persons, goods, wares, merchandise, bedding or clothing, from any port or place at which any malignant or contagious disease (the small pox or measles excepted)

Persons and goods from sickly ports, prohibited.

prevailed at the time of their departure, or from on board any vessel in which any such disease existed, while they were on board, shall enter or be brought into the city or county of Philadelphia at any time between the first day of June and the first day of October in any year, by land or water, without the permission of the Board of Health first had and obtained, under the penalty of any sum not exceeding five hundred dollars for each and every such offence, and the forfeiture of all such goods, wares, merchandise, bedding and clothing, to be recovered and appropriated, as directed by the twenty-ninth section of this act.

Penalty.

Board may prohibit communication with infected ports in the United States.

Prohibition to be published.

Penalty.

Vessels from infected ports in the United States to stop at the Lazaretto.

Persons from infected places to be conveyed to a place of purification.

Suspected persons to be interrogated.

SECT. 9. *And be it further enacted by the authority aforesaid,*

That whenever the Board of Health shall receive information that any malignant or contagious disease (the small pox and measles excepted,) prevails in any port or place within the United States, or on the continent of America, they shall make diligent enquiry concerning the same, and if it shall appear that the disease prevails as aforesaid, all communication with such infected port or place, shall be subject to such controul and regulations as the Board of Health may from time to time think proper to direct and publish in one or more newspapers published in the city of Philadelphia, and thereupon every person or persons, and all goods, wares, merchandises, bedding and clothing, from such infected port or place, and having entered and brought into the city and county of Philadelphia, contrary to such regulations, shall be subject to the penalties and forfeitures provided by the next preceding section of this act; and all vessels from such port or place, and bound to the port of Philadelphia, shall stop at the Lazaretto, and be proceeded with in the same manner, and under the same penalties and forfeitures, as are provided in cases of vessels coming from foreign ports; and every person or persons having entered or been brought into the city or county of Philadelphia, from such infected port or place aforesaid, shall also be conveyed by any person authorized by the Board, to such place for purification, as the said Board may appoint or direct for that purpose, and be there detained at the pleasure of the Board, any time not exceeding twenty days, and at the expense of such person or persons; and if the said Board shall have cause to suspect that any person or persons at the time, within the city and county of Philadelphia, have been at such infected port or place within fifteen days since such disease prevailed at such port or place next preceding, the said Board

may lawfully require such person or persons to render satisfactory proof of their place or places of abode during the said period; and if such person or persons neglect or refuse to render such proof, or fail in proving their residence other than at such infected port or place, every such person shall be dealt with, by purification and detention, as persons coming from such infected port or place.

SECT. 10. *And be it further enacted by the authority aforesaid,* That no Lazaretto physician, quarantine master or other officer, or servant of the said Lazaretto, shall absent himself from the place of his duty between the first day of June and the first day of October on any pretence whatsoever, for any time, without leave first obtained in writing from the Board of Health, under the hand of the president or chairman for the time, attested by the secretary and entered on the minutes, under the penalty of forfeiting his office and a fine of any sum not exceeding five hundred dollars.

SECT. 11. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Lazaretto physician, immediately on the arrival of any ship or vessel liable to be detained at the Lazaretto in order to be cleansed and purified as aforesaid, to cause the sick, if any on board, to be removed to the building which shall be appointed by the Board of Health for their reception, and diligently and impartially with his best skill to attend upon and administer medical assistance to each and every sick person that shall be therein lodged, and generally to superintend and cause to be executed such orders and regulations as the said Board shall from time to time ordain for the government and management of the Lazaretto, and of the vessels, cargoes, and persons, under quarantine.

SECT. 12. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the quarantine master, immediately after the arrival and examination as aforesaid, of any ship or vessel liable to be detained at the Lazaretto for purification as aforesaid, to direct and cause such ship or vessel to be properly moored near the Lazaretto at such distance from any vessel or vessels under quarantine as may prevent the communication of any infectious disease to or from the same. And the cargo, bedding, and clothing, or any part thereof contained in such ship or vessel to be landed, cleansed, and purified, under the direction of the Lazaretto physician; and it shall be the particular duty of the said

Lazaretto officers not to absent themselves without leave.

Duty of the Lazaretto physician.

Duty of the quarantine master.

To secure
the boats of
vessels.

quarantine master to prevent any personal intercourse between the persons on board different vessels under quarantine, and for that purpose to take possession of and secure the boats of such vessels from sunset to sunrise of the succeeding day, until their respective terms of quarantine shall be completed. To preserve and enforce order and obedience to this act, and all such orders and regulations as the Board of Health shall from time to time ordain for the government of the Lazaretto, and the persons, vessels, and cargoes, under quarantine.

Duty of the
port physi-
cian.

SECT. 13. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the port physician, upon receiving information from the Health Officer or other person whomsoever, that any person or persons on board of any ship or vessel in the port of Philadelphia is or are afflicted, or suspected to be afflicted, with any pestilential or contagious disease, or that there is just cause to suspect that the cargo or any part thereof, contained in any such ship, or vessel, is infected with any such disease, the said physician, in either

To examine
vessels.

of the foregoing cases, shall visit and carefully examine such ship or vessel, and if he shall discover any sick person or persons on board any such ship or vessel, he shall thereupon have and exercise the authority to direct such sick person or persons to be removed to the said Lazaretto, or to some other safe place which may be specified by the Board of Health. And the said physician shall without delay report the state of said vessel, cargo, and crew, to the Board of Health, who shall direct and determine how the crew, passengers, vessel, and cargo, shall be disposed of and managed for the restoration of their health and purification. And on

To report
the state of
the vessels to
the Board.

To visit ves-
sels arriving
from 1st Oc-
tober to 1st
June in the
succeeding
year.

the arrival of any ship or vessel in the port of Philadelphia, from any foreign port or place, from the first day of October in any year to the first day of June in the next succeeding year, it shall be the duty of the said physician, provided such ship or vessel shall not have been previously visited and examined by the physician resident at the Lazaretto and quarantine master, and before any of the passengers, crew, cargo, or baggage are landed, to visit and carefully examine such ship or vessel in manner and form as the said Lazaretto physician and quarantine master are bound to do, and to demand answers under oath or affirmation to be administered by the said port physician, who is hereby empowered to administer the same in conformity with this act. And if the

crew, passengers, vessel, and cargo, be in a healthy state, and if there shall be no ground to suspect that any of the crew or passengers have died in the voyage of any dangerous contagious disease, (the small pox and measles excepted) or that the cargo, bedding, or clothing, is infected, then and in such case the said physician shall give to the master or commander a certificate of the facts, which the said master or commander shall present at the Health Office within twenty-four hours after such examination; and if he shall neglect so to do, being thereof legally convicted under this act, he shall be sentenced to pay a fine of two hundred dollars, to be recovered and appropriated as is herein provided and directed. And if on examination, any suspicion shall arise in the mind of the said physician touching the health of the crew or passengers, or the infectious state of the vessel, cargo, bedding, or clothing, on board, no part thereof shall be landed, but the said physician shall immediately report the same to the Board of Health, who shall direct and determine what measures shall be pursued relative thereto. And the said physician upon request of the Health Officer, or the Board of Health, shall, from time to time, visit and examine such houses and persons as the said Board, or the Health Officer, shall have reason to suspect are infected with any dangerous contagious disease, and make report thereof to the said Health Officer. And every ship or vessel, so as aforesaid, arriving at the port of Philadelphia, shall be visited by the port physician previously to her being hauled to any wharf within the city or district aforesaid, or Wind Mill Island; and every captain or other person so hauling such ship or vessel to any wharf as aforesaid, shall for each and every offence forfeit and pay the sum of two hundred dollars, to be sued for and recovered as herein provided, unless it shall be made appear by such captain or other person that there was at the time imminent danger of the loss of such ship or vessel, or of the passengers and crew thereof.

To deliver the master a certificate which he is to present at the Health Office.

To visit houses at the request of the Board of Health.

Vessels arriving at Philadelphia to be visited by port physician before hauling to any wharf. Penalty.

SECT. 14. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Health Officer at seasonable and proper hours on each day (Sundays excepted) to open and keep a public office at such convenient place in the city of Philadelphia as shall be directed by the Board of Health, whereat all masters or captains of ships or vessels shall deliver the certificates of bills of health to them granted by the Lazaretto physician and quarantine master, or port physician

Duty of the Health Officer.

To file and preserve the bills of health.
To keep a register.

To attend the meetings of the Board.

To recover fines and penalties.
The Health Officer to give security, which shall be a lien.

Lazaretto mail to leave Lazaretto twice a day.

Letters to be deposited in the post office.

Persons sick at the Lazaretto how to be treated.

as aforesaid. And the Board of Health shall there assemble and meet, as often as they deem needful, for the purpose of executing the duties and trust of their appointment. And the said Health Officer shall file and preserve in good order all the certificates or bills of health so delivered, and shall keep a register of the ships or vessels, and the names of the captains or masters, owners or consignees, for which the same were respectively granted, the port or ports from which the ship or vessel respectively sailed, or at which they touched during their respective voyages, and the number of persons on board thereof respectively at the time of their leaving their respective ports of departure, and also at the time of their arrival respectively at the port of Philadelphia. And the said Health Officer shall attend the Health Office at the meetings of the Board of Health, and at such other times as shall be required for discharging the duties of his appointment, and generally enforce and execute the regulations and instructions of the Board of Health. And it shall be the duty of the said Health Officer to collect, recover, and receive all forfeitures and penalties imposed, and sums of money directed to be paid by this act. And the said Health Officer shall, before he enters on the duties of his office, give bond with sureties to the satisfaction of the Board of Health, conditioned for the faithful execution of the duties of his office, and to account for all monies which may come into his hands in pursuance thereof. And the said bond shall be a lien on the estates of the said Health Officer, and his securities respectively.

SECT. 15. *And be it further enacted by the authority aforesaid,* That the letter mail shall during the quarantine season, leave the Lazaretto for the Health Office, in the city of Philadelphia, and return twice in each juridical day, at such hours as the Board of Health shall determine, and shall be free for the transmission of letters to and from persons who may be within the bounds of the Lazaretto, or on board of vessels which may be detained there; and it shall be the duty of the Health Officer immediately after the arrival of the Lazaretto mail, to deposit in the post office the letters received thereby, excepting those which shall be addressed to the Board of Health and the officers connected therewith.

SECT. 16. *And be it further enacted by the authority aforesaid,* That every diseased person duly landed or sent to the Lazaretto, by either of the aforesaid physicians, quarantine master, or Health Officer, shall be there kept and maintained until the Lazaretto physician shall grant him or her a dis-

charge in writing, and if before obtaining a discharge as aforesaid, any such person shall elope or otherwise absent himself or herself from the Lazaretto, it shall be lawful for the Health Officer, or any constable or other person whom he shall call to his assistance, and they are hereby enjoined and required to lend such assistance, to pursue and apprehend the person so escaping or absenting himself or herself from the Lazaretto, and there again deliver him or her to be detained until he or she be duly discharged as aforesaid: and moreover the person so eloping and absenting himself or herself shall for each and every offence suffer such temporary confinement in the Lazaretto, not exceeding three months, as the Board of Health shall ordain and award; and if any master or captain shall knowingly receive or employ on board of his ship or vessel, or if any housekeeper or other inhabitant of this commonwealth shall knowingly receive, harbour, or in any way entertain any person so eloping or absenting from the Lazaretto, each and every master and captain, and each and every housekeeper or inhabitant so respectively offending shall, on being thereof legally convicted, forfeit and pay a sum of two hundred dollars; and if any person, arriving in or belonging to any ship or vessel detained at the Lazaretto as aforesaid, shall elope or absent himself or herself, without having first obtained a discharge, signed by the Lazaretto physician and quarantine master, or if any person other than those detained at the Lazaretto as aforesaid, shall go on board or along side of any ship or vessel whilst under quarantine as aforesaid, or if any person not authorized by the Board of Health shall go within the limits of the Lazaretto, such person or persons shall perform such quarantine as the Board of Health may direct, the person so offending, upon legal conviction of such offence, shall forfeit and pay the sum of two hundred dollars, to be recovered and appropriated as hereinafter directed; and if any diseased or other person landed and sent to the Lazaretto by any officer having authority to do the same, or any person arriving in or belonging to any ship or vessel detained at the Lazaretto as aforesaid, shall refuse or neglect to obey the directions of the Lazaretto physician or quarantine master respectively, agreeably to this act, and the order and regulations by the Board of Health, which shall from time to time be ordained and established for the government and management of the Lazaretto, and the persons, vessels and cargoes under quaran-

Sick persons eloping from the Lazaretto to be apprehended and sent back.

Fugitives from the Lazaretto not to be harboured.

Penalty

Persons going on board, or along side any vessel, or entering the Lazaretto, to perform quarantine.

Penalty.

Refusal or neglect of the laws of Lazaretto punishable

Penalty.

Expenses of diseased persons sent to the Lazaretto, paid by the importer, &c.

According to the rates established by the Board. Passengers to repay expenses to captains, &c.

Vessels coming up to the city may be remanded on just cause.

Board authorized to remove vessels.

Board may take orders to prevent the spreading of contagion in the city.

time, the person so refusing or neglecting shall for each and every offence, on being thereof legally convicted, forfeit and pay the sum of two hundred dollars, to be recovered and appropriated as hereinafter directed; and the expense and charge of boarding, lodging, nursing, medicine, maintenance, and other necessities, which shall have been provided for the diseased persons landed and sent to the Lazaretto as aforesaid, and also of burying them in case of their death, shall be paid and discharged by the importer, master, or captain, owner, or consignee, of the ships or vessels respectively in which such diseased persons were respectively imported, agreeably to the rates in that behalf by the Board of Health to be ordained and established: *Provided always, nevertheless,* That when the diseased persons are passengers and not servants, the said expense and charges shall be repaid by them, their executors, or administrators, to the captain or master, owner or consignee, who shall pay and satisfy, or be bound to pay and satisfy the same as aforesaid.

SECT. 17. *And be it further enacted by the authority aforesaid,* That when any vessel shall come up to the city of Philadelphia, or the shores of Southwark or the Northern Liberties, although the said vessel may have obtained a certificate of health from the Lazaretto physician and quarantine master, or the port physician, if the said vessel shall appear to the Board of Health to be infected with any contagious disorder, dangerous to the community, the said Board are hereby authorized to order the said vessel to the Lazaretto, there to undergo the necessary purification before she will be permitted to return to the city or the shores aforesaid. And the said Board are hereby authorized and empowered to remove any vessel or vessels from any part of the city or shore aforesaid as shall be infected with such disorders as aforesaid, to such convenient distance as they may deem proper, although such vessel may not be infected.

SECT. 18. *And be it further enacted by the authority aforesaid,* That whenever by means aforesaid, or by the report of the port physician or any other physician appointed by the Board of Health, (whom the said Board are hereby authorized to send to places or houses suspected to be infected) it shall come to the knowledge of the said Board, that any person within the city of Philadelphia, the district of Southwark, the townships of the Northern Liberties, Moyamensing, or Penn, is afflicted with any contagious disease, dangerous to the com-

munity, it shall and may be lawful for the said Board to take orders for preventing the spreading of the contagion, by forbidding and preventing all communication with the infected house or family, except by means of physicians, nurses or messengers, to convey the necessary advice, medicines, and provisions, to the afflicted; and shall exercise all such other powers as the circumstances of the case shall require, and as shall in their judgment be most conducive to the public good with the least private injury.

To prevent communication with infected houses

SECT. 19. *And be it further enacted by the authority aforesaid,* That no pilot bringing a ship or vessel to the Lazaretto in an apparent state of good health, shall be obliged to perform quarantine, but the Lazaretto physician shall grant such pilot a certificate permitting him to proceed to the Capes of Delaware, in order that he may prosecute his profession, but such pilot shall not on any pretence come into the city of Philadelphia, the Northern Liberties, the district of Southwark, or the township of Moyamensing, or Penn, for twenty days from the date of such certificate, under the penalty of one hundred dollars, or one year's imprisonment, which penalty shall be recovered and applied in the manner hereinafter directed. *And any pilot bringing to the said Lazaretto a ship or vessel infected or supposed to be infected, with any pestilential or contagious disease, may be permitted to go and remain on shore within the bounds of the Lazaretto during the time the ship or vessel brought thither shall be detained under quarantine: Provided always,* That if the said vessel shall be infected with any disease as aforesaid, he shall be detained and treated in the like manner as seamen or passengers so infected are herein directed to be detained and treated: *And provided further,* That if he shall go without the bounds of the Lazaretto, he shall be liable to the same penalties as are by this act imposed on seamen or passengers escaping therefrom.

Pilots exempted from quarantine.

Shall not enter the city, &c. for 20 days, under penalty \$100 or 1 years imprisonment.

Pilots permitted to remain within the Lazaretto bounds.

Penalty on going without the bounds of the Lazaretto.

SECT. 20. *And be it further enacted by the authority aforesaid,* That no member of the Board of Health shall be permitted to go within the limits of the Lazaretto during the continuance of the quarantine, and any one of them offending against this provision shall pay a fine of one hundred dollars, to be recovered by action in any court having competent jurisdiction, by the guardians of the poor for the city of Philadelphia, the district of Southwark, and the township of the Northern Liberties.

No member of the Board of Health to go within the limits of the Lazaretto during quarantine. Penalty

SECT. 21. *And be it further enacted by the authority aforesaid,*

Of the importation of passengers. *said,* That no master or captain of any ship or vessel, bound to any port or place within this commonwealth, shall bring within the Capes of the bay and river Delaware, or in any

Their number not to exceed what can be well provided and accommodated. port or place within this commonwealth, any greater number of passengers, servants, or other persons whatsoever, than can and shall be well supplied with sufficient good and wholesome drink and meat and other necessaries, particularly vinegar, as well to wash and cleanse the vessel as for the use of the persons on board during the voyage. And every ship or vessel

Every vessel to be allowed to bring one passenger for two tons. so arriving at any port or place within this commonwealth, shall be allowed to bring one passenger and no more for every two tons custom house measurement, and in such estimate two children between the ages of five and twelve years shall be taken and considered as equal to one full passenger. And

Before certificate is obtained, the master, &c. is to pay Health Officer \$1 for each passenger. before any such ship or vessel shall obtain a certificate from the Health Office, the master, owner, or consignee, of such ship or vessel, shall pay to the Health Officer, for the use of the Board of Health, the sum of one dollar for each and every passenger not citizens of the United States, reckoning two children between the ages aforesaid as one passenger. And

If such passengers are unable to pay, the governor shall draw his warrant. in case it should be made to appear satisfactorily to the Board of Health that such passengers are unable to pay the said sum of one dollar, then and in such case the Board of Health shall make out a list of such passengers, together with the names of the captain and vessel in which they were imported, and forward the same, under their official seal, to the governor, who shall draw his warrant on the state treasurer, in the usual manner, for the amount so specified. And every master or

Where there are 100 passengers, &c. a physician to be employed. captain of any ship or vessel, importing passengers, servants, or other persons whatsoever, shall whenever the said passengers, servants, or other persons, amount to the number of one hundred, at the charge of the owner or owners of his ship or vessel, provide and employ a skilful physician of good character, and a chest with a competent assortment of medicines for the use and accommodation of all persons whatsoever on board his ship or vessel, and the physician so provided shall

His duty. administer medicine and medicines to all sick persons on board the ship or vessel according to his best skill and judgment as often as occasion shall require, without asking, demanding, or receiving any pay or satisfaction therefore from such sick persons respectively. And the master or captain of any ship or vessel containing the number of passengers aforesaid, shall twice in every week, if the weather will permit,

Ship to be cleansed during the voyage.

during the voyage cause the ship or vessel to be well washed with vinegar, and while the means aforesaid shall be using to cleanse the ship or vessel, the master or captain thereof may require and compel all persons not incapacitated by sickness or other reasonable cause to come and remain on deck until such cleaning shall be performed and completed. And if any master, captain, or other person, whether severally or altogether shall, during the voyage, trust or credit any one passenger with more liquor or other articles whatsoever, than shall amount in the whole to the value of four dollars, or if more than one third part of that sum shall be for spirituous liquors, the master, captain, or other person so trusting or crediting, shall be disabled from recovering any debts for all and any such articles from any passenger so trusted or credited. And the Lazaretto physician, port physician, and Health Officer respectively, on visiting any ship or vessel bound to any port or place within this commonwealth as aforesaid, shall diligently enquire whether the directions herein given have been fully complied with. And on the arrival of any vessel importing German passengers opposite to the city of Philadelphia, the Health Officer shall moreover visit the same and take with him a respectable German of the city of Philadelphia well versed in the English and German languages to be his interpreter, and the said interpreter shall be appointed and commissioned by the governor, and shall take an oath or affirmation before the mayor or any alderman of the city of Philadelphia for the time being, that he will well and faithfully interpret between the Health Officer and such German passengers, and in all other respects diligently and uprightly execute the duties of his appointment. And the Health Officer shall at least once in every week, taking with him the said interpreter, in case of a ship or vessel importing German passengers, go on board every ship or vessel having passengers to examine whether they are and have been accommodated agreeably to the directions of this act. And the said interpreter for the first visit shall have and receive the sum of two dollars, and for every subsequent visit the sum of one dollar, to be paid by the master, captain, owner, or consignee of the ship or vessel so visited. And if any master or captain of any ship or vessel shall not have provided a sufficient quantity of good and wholesome provisions, vinegar, and other necessaries as aforesaid, or if he shall not have provided a room or birth to the persons on board his ship or vessel. or if having the number of one hun-

Trusting passengers with liquors exceeding \$4 the debts not recoverable.

The visiting officer to enquire whether their directions have been complied with. Of the German interpreter.

By whom to be appointed and how to be qualified.

The Health Officer taking with him the interpreter to visit passenger ships weekly. Compensation of the interpreter.

Penalty for transgressing the directions of this section

dred passengers as aforesaid, he shall not have provided a physician and chest of medicines for the use and accommodation of all persons on board his ship or vessel, or shall bring more than one passenger for every two tons, custom house measurement, or shall have neglected during the voyage to cleanse the ship or vessel in the manner herein before in such case directed, such master or captain shall for each and every of the foregoing offences forfeit and pay not less than two hundred dollars, nor more than fifteen hundred dollars, to be recovered and appropriated as hereinafter provided and directed.

Hospital for the city, Northern Liberties, &c.

SECT. 22. *And be it further enacted by the authority aforesaid,* That the buildings and lot of ground situate to the north west of Bush Hill, in the county of Philadelphia, shall be and continue a public hospital for the city of Philadelphia, the township of the Northern Liberties, and the districts of Southwark, Moyamensing and Penn; and all persons other than persons on board of any ship or vessel and liable to be sent as aforesaid to the Lazaretto residing within the city of Philadelphia, the district of Southwark, the townships of the Northern Liberties, Moyamensing and Penn, who shall be afflicted with any pestilential or contagious disease (the small pox and measles excepted) may upon the advice and order of the port physician or any other physician or person authorized by the Board of Health to grant such order, be removed by the Health Officer, and such assistance as he shall for that purpose employ to the said public hospital or to such other place as the physician or Board of Health shall approve, if the person afflicted with any contagious or pestilential disease, cannot be properly and sufficiently attended at home, there be lodged, nursed and maintained, and kept until duly discharged by a permit in writing signed by a physician of the said public hospital: *Provided always, nevertheless,* That each and every patient, and his and her estate, real and personal, shall be liable to pay, satisfy, and reimburse all the charges and expenses on his or her account incurred in the said public hospital, unless the Board of Health award that he or she shall be exonerated and exempted therefrom. And the Board of Health is hereby directed to lease out the said public hospital and lot of ground belonging to it except when wanted for the sick on the best terms that can be obtained.

Persons afflicted with contagious diseases to be received into the hospital. Health Officer to remove infected persons, unless they can be properly attended at home.

Patients liable for their expenses.

Board authorized to lease hospital.

SECT. 23. *And be it further enacted by the authority aforesaid,* That whenever the said Board of Health shall receive information that any contagious disease rages in any port or place

Contagion in other places guarded against.

within the United States, or on the continent of America, they shall make diligent enquiry concerning the same ; and it shall and may be lawful for the said Board to prohibit and to prevent all communication by land and water with such infected ports or places, by stopping all vessels coming into the port of Philadelphia, and at and before the Lazaretto, in the same manner and under the same penalties and forfeitures as are hereby provided in case of vessels coming from foreign ports, and by stopping all persons coming from said infected places, in such manner as the circumstances and exigencies of the case shall require. And the said Board of Health are hereby authorized and required, whenever a fever of a contagious nature shall appear in any part of the city of Philadelphia, the district of Southwark, or the townships of the Northern Liberties, Moyamensing or Penn, to adopt without delay such prompt measures as will effectually prevent all communication between the part or parts so infected, and any other part of the city, district, or townships; and all judges, justices, sheriffs, constables, and other civil officers and citizens of this state, are hereby authorized and empowered, enjoined and required, to aid and assist the said Board and their officers to the utmost of their power in carrying into effect such rules, orders and regulations, touching the stoppage of such intercourse, or the removal of the infected when they cannot properly be attended to at home, as the Board shall order and publish.

Communication by land and water forbid.

Contagious fever appearing in the city or districts, communication to be stopped.

SECT. 24. *And be it further enacted by the authority aforesaid,* That every person keeping a boarding or lodging house, in the city of Philadelphia, the district of Southwark, or the townships of the Northern Liberties, Moyamensing or Penn, between the first day of June and the fifteenth day of October in any year, shall within twelve hours after any seafaring man or sojourner shall become sick in such boarding or lodging house, report in writing the name of such diseased person to the Health Officer : and no master of a vessel or other person from any vessel whatsoever, shall remove any sick person lying in the river Delaware, before the city of Philadelphia, the district of Southwark or the township of the Northern Liberties, before such sick person has been visited by the port physician, and a written permit granted by him for the purpose of such removal. And any person neglecting or refusing to comply with the provisions of this section shall on legal conviction thereof, be subject to a fine not exceeding fifty dollars

Persons keeping boarding houses to report, &c.

No sick person to be removed, &c.

Penalty

or to imprisonment for any term not exceeding three months; and no person shall hereafter be subject to be punished by imprisonment by virtue of this act without a previous conviction in due course of law: *Provided*, That nothing herein contained shall be construed to prevent the Board of Health from temporarily confining any person within the Lazaretto bounds, for such time as the said Board may deem necessary for the safety of the public.

SECT. 25. And be it further enacted by the authority aforesaid,

Physicians to report patients at the health office. That every person practising physic in the city, districts and townships aforesaid, who shall have a patient labouring under a pestilential or contagious disease (small pox and measles excepted) shall forthwith make a report in writing to the Health Officer, and for neglecting so to do he shall be considered guilty of a misdemeanor, and subject to a fine not exceeding fifty dollars.

Penalty.

SECT. 26. And be it further enacted by the authority aforesaid, That whenever any person shall die in the city, district, or townships aforesaid, the physician or surgeon who shall have attended such person, as a physician or surgeon during his or her last sickness, shall leave a note in writing signed with his name with some one of the family in the house where such person shall have died, specifying the name and apparent age of the deceased and the disease of which he or she shall have died. And every physician or surgeon refusing or neglecting to make and deliver such note, shall forfeit the sum of five dollars. And that no sexton of any church, or other person having charge of any cemetery, vaults, or burial grounds, in the city, district, or townships aforesaid, shall permit any dead body to be interred therein until he has received such note in writing so signed as aforesaid, or in case no physician or surgeon shall have attended such deceased person, or the physician or surgeon who did attend shall have neglected or refused to leave such note, then a like note signed by some of the family in which such person shall have died. The contents of which note in writing shall be entered by such sexton on a blank schedule to be furnished by the clerk of the Health Office, or such other person as the Board of Health direct, and delivered together with the said schedule, on the Saturday of every week to the Health Office for publication, in such form as may be designated by the Board of Health. And that every sexton or other person, having charge of any place of interment neglecting or refusing to perform any of the duties required by this act shall forfeit the sum of twenty-five dollars.

Penalty.

Sextons not to permit deceased persons to be interred, until, &c.

Contents of the note to be entered, &c. weekly.

Penalty.

SECT. 27. *And be it further enacted by the authority aforesaid,* That the Board of Health or a committee of them shall have power, having first obtained a warrant from a justice of the peace in due form of law founded on a complaint of two householders under oath or affirmation, directed to the sheriff of the county of Philadelphia, or his deputy, to enter and search all houses, stores, cellars, and other inclosures, between sun rise and sun set where they may have just cause to suspect any nuisance to exist: *Provided however,* That no sheriff or deputy sheriff shall execute any civil process either by arresting the body or attaching the goods and chattels of any person or persons under colour of any entry made fore the purposes aforesaid, unless such service could by law have been made without such entry, and all services so made under colour of such entry shall be utterly void, and the officer making such service shall be considered a trespasser. And it shall be the duty of the said Board to cause all offensive or putrid substances, and all nuisances which may have a tendency in their opinion to endanger the health of the citizens, to be removed from the streets, lanes, alleys, highways, wharves, docks, or any other part or parts of the city of Philadelphia, the district of Southwark, and the townships of the Northern Liberties, Moyamensing and Penn, and to cause such of the privies within the limits aforesaid, to be emptied or corrected with lime or otherwise at the expense of the individuals who are the owners of the houses to which the said privies are appurtenant, as the said Board shall from to time deem necessary for the health of the inhabitants thereof. And if the owners or occupiers of the premises on which any nuisance may be found, and the owners of the houses to which the said privies are appurtenant, shall, on due notice thereof, refuse or neglect to have the same immediately removed, emptied, or corrected as aforesaid, he, she, or they, so refusing or neglecting, shall forfeit and pay for every such offence any sum not less than twenty, nor more than two hundred dollars, to be recovered and appropriated as by this act directed. And the expense attending the removal of such nuisance shall be recovered by the Board in any court having lawful jurisdiction, from all corporate bodies and individuals, in case due notice has been given to remove the same and a refusal or neglect to do so within the time prescribed by the Board.

The Board may obtain upon oath or affirmation a warrant, and enter and search, &c.

No civil process to be executed under colour, &c.

The Board to remove all nuisances, &c.

And to cause the privies to be emptied, &c.

And the owners or occupiers refusing to pay such expenses shall forfeit, &c.

How to be recovered.

SECT. 28. *And be it further enacted by the authority aforesaid,* That if any person shall wilfully and knowingly obstruct

Persons obstructing the

members of the Board in their duties under this act to fort it, &c.

or resist the Board of Health, or any of the members thereof, or any persons by them appointed, in the execution of the powers to them given, or in performance of duties enjoined on them by this act, and the rules and regulations of the said Board, such person shall on being thereof legally convicted, forfeit and pay a sum not exceeding five hundred dollars, to be recovered and appropriated as is hereinafter directed.

If at expiration of the quarantine any person who has complied with its regulations, commits violence on the members or officers of the Board, &c. And if after the expiration of the quarantine, any mariner or other person who shall have complied with the regulations hereby established, shall commit any violence on the person of a member of the Board of Health, or any of the officers attached to the same, for any thing done in the execution of his duty, such person shall be subject on conviction thereof to a fine of two hundred dollars, and shall also be sentenced to imprisonment at hard labour for any term not exceeding three years.

Penalties, forfeitures and sums of money, how to be recovered.

SECT. 29. *And be it further enacted by the authority aforesaid,* That for payment and satisfaction of all forfeitures and penalties, which are imposed by this act, and all sums of money directed by this act to be paid, it shall be the duty of the Health Officer to sue and prosecute, and the same to collect, recover and receive, and the same shall be recoverable before any alderman, justice of the peace, or court of justice, having lawful jurisdiction, to the amount of such forfeitures, penalties, and sums of money respectively, or in the case, or upon the offence upon which the proceeding shall be had, and the same when recovered and received, shall be appropriated, and shall inure to the use of the institution, under the management and direction of the Board of Health; and no citizen or inhabitant

And to what use to be appropriated.

No inhabitant of Philadelphia or the districts, to be disqualified to act as jurors, &c.

of the city of Philadelphia, the district of Southwark, or the township of the Northern Liberties, or Moyamensing, or Penn, shall be disqualified from sitting as judges or jurors, or from giving testimony respecting any of the offences mentioned in this act, by reason of his, her or their common interest in the appropriation of the sum or penalties imposed for such offence, nor shall any member of the Board of Health, or any officer intrusted with the execution of this act, or any part thereof be disqualified from giving testimony respecting any of the said offences. And the said members of the Board of Health shall, during their continuance in office, be exempted from the duties of jurors, and from militia duty.

Nor members or officers of the Board to be disqualified from giving testimony.

Salaries.

SECT. 30. *And be it further enacted by the authority aforesaid,* That the Lazaretto physician, quarantine master, port

physician, and health officer, shall, from and after the passing of this act, receive annually, the following salaries, as a compensation for their services, that is to say: the Lazaretto physician, the sum of twelve hundred dollars; the quarantine master, the sum of seven hundred dollars; the port physician, the sum of five hundred dollars; and the health officer, the sum of six hundred dollars, to be paid quarterly, by an order drawn by the Board of Health on their treasurer. And the quarantine master shall accompany the Lazaretto physician, on the arrival of vessels at the Lazaretto, and shall have them moored, and when necessary, well cleansed and white washed, for which he shall be paid in addition to his salary, by the master, owner or consignee, and shall be allowed to charge for lime and brushes, the usual prices at which such articles are retailed in the city of Philadelphia, (he shall also be authorized to receive all letters and papers to be forwarded to Philadelphia by the Lazaretto mail, and by any other conveyance he may think proper,) and no person shall be permitted to go on board any vessel under quarantine, except the Lazaretto physician and quarantine master, unless at the request of either of them to perform some necessary service. And the quarantine master shall be furnished with such boats and crews as the Board of Health may judge necessary, for having the duties of the Lazaretto physician and quarantine master, carried into complete effect, and shall also be furnished with a good spy-glass.

Lazaretto physician, \$1200; quarantine master, \$700; port physician, \$500; health officer \$600. Duties of the Lazaretto physician and quarantine master.

No person to go on board vessels, under quarantine except Lazaretto physician and quarantine master.

SECT. 31. *And be it further enacted by the authority aforesaid,* That all actions or prosecutions to be commenced against any master, captain, owner or consignee of any ship or vessel, or other person, by virtue of this act, shall be brought within twelve months next, after the commission of the offence, wherewith he is charged, and if any action or suit shall be commenced against any person or persons, for any matter or thing committed in violation of this act, the defendant or defendants may plead the general issue, and give this act and the special matter in evidence, at any trial to be had thereupon. And for the payment and satisfaction of all forfeitures and penalties which are imposed, and all sums of money directed by this act to be paid by the masters, captains, owners or consignees, as well the ships or vessels respectively, as the captains, masters, owners or consignees thereof, shall be and are hereby declared liable.

All actions and prosecutions to be brought within 12 months.

General issue may be pleaded. Masters, &c. as well as ships, liable for all forfeitures.

SECT. 32. *And be it further enacted by the authority aforesaid,*

To defray ex-
penses of the
Lazaretto,
the Board au-
thorized to
levy a tax.

said, That for defraying the expenses to be incurred in erect-
ing and supporting the said Lazaretto, and for carrying into
complete effect the other provisions contained in this act, the
said Board of Health are hereby authorized and empowered

by, and with the consent of the mayor or recorder, two alder-
men, and two justices, as aforesaid, to levy and collect by
tax on the estates and inhabitants of the city of Philadelphia,
the district of Southwark, and the townships of the Nor-
thern Liberties, Moyamensing and Penn, in the same man-
ner, at the same rates, and under the same regulations as
the county rates and levies are, or may be by law, levied and
collected, such sums annually as the said Board by, and with
the consent of the mayor or recorder, two aldermen, and two
justices as aforesaid, shall deem necessary, for the use of the

The tax not
to exceed
\$15,000.

said institution, provided the same shall not exceed fifteen
thousand dollars. And to defray the expenses necessarily
incurred during a season, when malignant fever shall become
general, or be the cause of extraordinary expense, it shall,
and may be lawful for the said Board of Health to borrow
such sum or sums of money, as shall be deemed necessary,
and for discharging the debt so incurred, the said Board shall
be, and hereby are authorized and empowered, to increase
the amount of taxes in the manner aforesaid, to such sum as
may be requisite for that purpose.

When the
Board may
borrow mo-
ney

In case they
do, may in-
crease the
taxes.

SECT. 33. *And be it further enacted by the authority afore-*
said, That it shall be the duty of the said Board of Health,
and they are hereby authorized to invest all sums of money,
which may at any time be in the hands of their treasurer, over
and above the amount which may be necessary to meet their
current expenses in the funded debt of the United States, the
stock of the bank of the United States, or in the stock of any
other incorporated bank in the city of Philadelphia, and to
sell and transfer the same at such times, and in such por-
tions as necessity may require.

Board may
invest sur-
plus monies.

SECT. 34. *And be it further enacted by the authority afore-*
said, That the said Board of Health, shall, on the first Mon-
day in January, in every year, exhibit their accounts to the
auditors of the county of Philadelphia, and it shall be the
duty of the said auditors to settle and adjust the account of
all monies received and expended by the said Board of

The Board to
exhibit annu-
ally their ac-
counts to the
county audi-
tors.

Who have
power to set-
tle them as in
other cases.

Health, and the said auditors shall have like power and au-
thority in settling such accounts, as they have in other cases,
and on filing a copy of such settlement in the prothonotary's

office, it shall be under the same laws, rules and regulations, and shall have the same operation and effect upon every of the members of the said board of Health, and in all other respects as the report of auditors against county treasurers.

SECT. 35. *And be it further enacted by the authority aforesaid,* That the act entitled, "An act for establishing an Health Office, for otherwise securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers," passed the twenty-second day of April, seventeen hundred and ninety-four, be and the same is hereby repealed, except the 21st and 22d sections of the said act. And the act entitled, "A supplement to the act entitled, 'An act for establishing an Health Office, for otherwise securing the city and port of Philadelphia, from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers,'" passed the twenty-third day of September, seventeen hundred and nine-four; and the act entitled, "An act supplementary to the several acts establishing an Health Office," passed the seventeenth day of April, seventeen hundred and ninety-five. And the act entitled, "A further supplement to the act entitled, 'An act for establishing an Health Office, for otherwise securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for regulating the importation of German and other passengers,'" passed the seventeenth day of April, seventeen hundred and ninety-five. And the act entitled, "An act to amend and repeal certain provisions in the Health Laws of this commonwealth," passed the fourth day of April, one thousand seven hundred and ninety-six. And the act entitled, "An act to alter and amend the Health Laws of this commonwealth, and to incorporate a board of managers of the marine and city hospitals of the port of Philadelphia, and for other purposes therein mentioned," passed the fourth day of April, seventeen hundred and ninety-eight. And the act entitled, "An act for establishing an Health Office, for securing the city and port of Philadelphia from the introduction of pestilential and contagious diseases," passed the eleventh day of April, seventeen hundred and ninety-nine. And the act entitled, "An act for establishing a Health Office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases," passed the

Repeal of all former acts.

Except the 21st and 22d sections of the act of 22d April, 1794.

seventeenth day of March, eighteen hundred and six. And the act entitled, "An act to continue in force an act entitled, "An act for establishing a Health Office, and to secure the "city and port of Philadelphia from the introduction of pestilential and contagious diseases and supplementary thereto," passed the thirty-first day of March, eighteen hundred and twelve. And the act entitled, "An act to amend and continue 'An act for establishing a Health Office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and the supplement thereto," passed the twenty-fifth day of March, eighteen hundred and thirteen. And the act entitled, "An "act to amend and continue, 'An act for establishing a Health "Office, and to secure the city and port of Philadelphia from "the introduction of pestilential and contagious diseases," and the supplement thereto, passed the thirteenth day of March, eighteen hundred and seventeen, be and the same are hereby repealed: *Provided nevertheless*, That all actions, prosecutions or other proceedings begun, all rights accruing, and all penalties incurred under the said acts, shall be carried on, prosecuted, vested in, sued for, and recovered, by the Board of Health, established by this act in all respects as if the said acts had not been repealed and appropriated, as is directed by this act.

All proceedings begun under former acts, to be carried on as if they had not been repealed.

WILLIAM DAVIDSON,

Speaker of the House of Representatives.

ISAAC WEAVER,

Speaker of the Senate.

APPROVED, the twenty-ninth day of January, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.



A SUPPLEMENT

To an Act, entitled "An act for establishing a Health Office, and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes."

SECT. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the passing of this act, between the first day of June and the first day of October, every ship or vessel coming from any port or place southward of Cape Fear, bound to Philadelphia, shall be subject to the examination directed by the fourth section of the act to which this is a supplement; for every ship or vessel coming from any foreign port or place, and the master, commander or pilot of every such ship or vessel coming from any port or place southward of Cape Fear, shall be subject to the same restrictions, and liable to the same indictment, prosecution and penalties, as by the said fourth section of the said act is prescribed for the master, commander or pilot of any ship or vessel coming from any foreign port or place. And the same duties shall be performed by the Lazaretto Physician and Quarantine Master, and the same oaths or affirmations shall be by them administered, first making known to the person interrogated the penalty imposed by the said act to which this is a supplement, which penalty is hereby extended to every person who shall give false answers, under oath or affirmation, to the questions proposed under the authority of this act. And the said Physician and Quarantine Master, and the master or captain of such ship or vessel, shall proceed in the same manner in all respects as is directed by the said fourth section of the act to which this is a supplement; and the Board of Health shall have the same power to determine and direct what measures shall be pursued, and the same shall be carried in like manner into execution.

Vessels from the southward of Cape Fear, subject to examination from first June to first October, and their officers subject to the same restrictions and penalties as if from foreign ports.

Lazaretto Physician and Quarantine Master to perform their usual duties.

Penalty extended to all persons giving false answers

SECT. 2. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, between the first day of June and the first day of October, every ship or vessel coming from a port or place in the United States, bound to the port of Philadelphia, and from which ship or vessel shall have been, within thirty days then next preceding, unladen, the whole or a part of the cargo or baggage, brought in the said ship or vessel from some foreign port or place, every such ship or vessel shall be liable and subject to all the rules, regulations and restrictions of the said fourth section of the said act to which this is a supplement, and shall be examined and treated, as well the vessel itself, as the cargo, crew, passengers and baggage on board, in the same manner as if such ship or vessel had brought the same cargo, crew, passengers or baggage, directly from such foreign port or place, and had the same then on board at the Lazaretto.

SECT. 3. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, between the first day of June and the first day of October, no ship or vessel which shall be laden with, or have on board, any vegetables, fish or hides, shall be unladen at the Port of Philadelphia, until a permit shall be applied for and obtained from the Board of Health. And if any master, captain, owner or owners, consignee or consignees, or other persons, shall presume to unlade from on board of any such ship or vessel, any vegetables, fish or hides, without first having applied for and obtained a permit from the Board of Health, every such master, captain, owner or owners, consignee or consignees, or other person, so offending, shall pay a fine not exceeding five hundred dollars, to be recovered and appropriated as is directed in the act to which this is a supplement.

SECT. 4. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, between the first day of June and the first day of October, within forty-eight hours after the discharge of the cargo of every ship or vessel at the port of Philadelphia, it shall be the duty of the captain or master, owner or owners, consignee or consignees, and other person, having the direction of the discharge of the same, under the penalty of one hundred dollars, to be recovered and appropriated as by the act to which this is a supplement is directed, to give, or cause to be given, to the Board of Health, notice that the same cargo is discharged, and to

Vessels from any port in the United States, having within thirty days arrived from a foreign port, subject to the same restrictions as if directly from such foreign port.

Vessels with vegetables, fish or hides, prohibited from unloading without a permit from the Board of Health.

Notice to be given Board of Health within forty-eight hours after discharge of cargo.

Penalty.

permit and suffer the Board of Health, by themselves or by their lawful agent by them for that purpose appointed, to examine the condition of the hold, ballast and limbers of such ship or vessel. And if the Board of Health shall deem it for the safety and health of the city of Philadelphia, they are hereby authorized and empowered to designate a proper place to which the said ship or vessel shall be taken, and that her hold, ballast and limbers shall there be cleansed and purified, or at the expense of such captain or master, owner or owners, consignee or consignees, or other person, having the direction of the discharge of the cargo, to send, or cause to be sent, such ship or vessel to a proper place, and have her hold, ballast and limbers properly cleansed and purified.

Board empowered to remove vessels and have them cleaned.

SECT. 5. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, between the first day of June and the first day of October, no person or persons shall, under the penalty of fifty dollars, to be recovered and appropriated as is directed by the act to which this is a supplement, be permitted to store, or keep in any one house, store, cellar or other inclosure, a greater quantity than one hundred bushels of vegetables which are in themselves of a perishable nature, without a permit from the Board of Health, which permit shall be granted for a limited time therein expressed, and may be renewed from time to time by the Board of Health.

Not more than 100 bushels of vegetables, of a perishable nature, to be kept by any person without a permit.

JOHN GILMORE,

Speaker of the House of Representatives.

PHILIP S. MARKLEY,

Speaker of the Senate.

APPROVED, April 2d, 1821.

JOSEPH HIESTER.



A SUPPLEMENT

To an Act entitled "an Act for establishing a Health Office and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases and for other purposes."

Section 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general assembly met and it is hereby enacted by the authority of the same,* That from and after the passing of this act all ships and vessels arriving at the port of Philadelphia, with small pox on board, shall be subject to the same rules, restrictions and regulations, as are provided and directed in the act to which this is a supplement, in relation to ships or vessels arriving with other malignant or contagious diseases.

Vessels having small pox on board subject to same regulations as those having other malignant or contagious diseases.

Section 2. *And be it further enacted by the authority aforesaid,* That no practising physician, or other person or persons, shall be allowed to communicate the infection of small pox, by inoculation or otherwise, within the jurisdiction of the Board of Health, unless by special permission of said board, and any practising physician, or other person or persons so transgressing, shall be liable to a penalty not exceeding one hundred dollars, nor less than seventy, for each person so inoculated or infected as aforesaid, to be recovered and appropriated as directed by the act to which this is a supplement.

Physicians or other persons forbid to communicate small pox by inoculation or otherwise, without permission. Penalty.

Section 3. *And be it further enacted by the authority aforesaid,* That from and after the passing of this act, the Board of Health shall be invested with the same authority to make such general rules, orders, or regulations for the preservation of the district from the contagion of small pox as they already possess in relation to other contagious diseases, dangerous to the health of the community.

Authority of the Board of Health to make rules, &c.

JOSEPH LAWRENCE,
Speaker of the House of Representatives.
WILLIAM MARKS, Jr.
Speaker of the Senate.

Approved the twenty-ninth day of March, one thousand eight hundred and twenty-four.

J. ANDREW SHULZE.

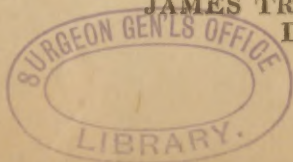
SECRETARY'S OFFICE.

HARRISBURG, April 3d, 1824.

I Certify the above to be a true copy of the original Law, remaining filed, and on record in this Office.

Witness my hand and seal, the day and year aforesaid.

JAMES TRIMBLE, [L. S.]
Deputy Secretary.



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